



TOWNHOUSE PLANNING PROPOSAL

Version 1 / July 2010

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BACKGROUND

Council has recently prepared and exhibited a *Housing Strategy Planning Proposal* to assist meet its obligations under the *Metropolitan Strategy*. The project scope for the *Housing Strategy* included the identification of precincts for rezoning to permit an additional 2,600 multi-unit dwellings. After public exhibition and consideration of community and government agency comments, amendments to the *Housing Strategy Planning Proposal* have been recommended. The amendments involve the deletion of a number of precincts, resulting in a reduced number of dwellings to meet Council's dwelling target.

Accordingly, an additional proposal has been prepared to address the shortfall in Council's dwelling target. In considering submissions concerning the *Housing Strategy Planning Proposal* it became clear that residents prefer smaller scale development such as townhouses rather than medium or high density development. Council recognises that townhouses are a desired form of housing for which there is limited provision in the *Housing Strategy* due to the need to concentrate densities in centres.

This *Townhouse Planning Proposal* identifies opportunities for the provision of townhouses in out of centre locations along transport corridors in Hornsby, Asquith and Mount Colah to assist increase the supply of this form of housing and to ensure Council's dwelling target is met. This proposal also includes an amendment to the boundary of a precinct being progressed as part of the *Housing Strategy Planning Proposal*.

PART 1 - OBJECTIVES OR INTENDED OUTCOMES

- To enable opportunities for the future redevelopment of specific land for townhouse development which:
 - encourages the use of public transport;
 - has minimal environmental impacts;
 - has minimal traffic impacts; and
 - is adequate to assist achieve Council's dwelling target under the State Governments Metropolitan Strategy and draft North Subregional Strategy.
- To amend the boundary of a *Housing Strategy* precinct, extending the area in which 5 storey multi-unit residential development is permissible on the land and to include an additional property.

PART 2 - EXPLANATION OF THE PROVISIONS

Amendment of the HSLEP map in accordance with the proposed zoning maps (once finalised) shown at Appendix A.

PART 3 - JUSTIFICATION

Section A - Need for the planning proposal

1. *Is the planning proposal a result of any strategic study or report?*

Yes, the proposal is the result of the preparation of the *Hornsby Shire Housing Strategy* and will assist Council in meeting its dwelling target under the *Metropolitan Strategy* and *North Subregional Strategy*.

2. *Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

Yes. A planning proposal is the best means of achieving the intended outcome of enabling redevelopment for townhouse development and extending the boundary of a precinct to enable 5 storey residential development.

3. *Is there a net community benefit?*

Yes. The *Planning Proposal* will deliver a net community benefit by providing opportunities for townhouses which is an alternative form of housing desired by the community.

Section B - Relationship to strategic planning framework

4. *Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?*

Yes. The *Planning Proposal* is consistent with the objectives of the *Sydney Metropolitan Strategy* and *draft North Subregional Strategy* (NSS). The following actions from the *draft NSS* are of particular relevance.

ACTIONS	
C1.3	NO C1.3.1
Plan for increased housing capacity targets in existing areas.	North Councils to plan for sufficient zoned land to accommodate their local government area housing targets through their Principal LEPs.
CONSISTENCY	
The precincts proposed for townhouse development have been selected to assist meet Council's dwelling target set out in the <i>draft NSS</i> (11,000 dwellings by 2031).	
ACTIONS	
C2.1	NO C2.1.2
Focus residential development around centres, town centres, villages and neighbourhood centres.	Councils to provide in their LEPs zoned capacity for a significant majority of new dwellings to be located in strategic and local centres (minimum 80%).
CONSISTENCY	
The new dwellings proposed in the <i>Townhouse Planning Proposal</i> are located out of centre along transport corridors. The progression of the townhouse precincts represent a small proportion of the precincts proposed to meet Council's dwelling requirements and the original Housing Strategy Planning Proposal achieves the minimum 80% requirement of new dwellings to be located in strategic and local centres.	

5. *Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?*

Yes. The *Planning Proposal* is consistent with *Council's Management Plan 2009/10 – 2011/12*. The *Management Plan* outlines that Council's Strategic Direction in looking to the future will focus on sustainability, community wellbeing and the provision of quality infrastructure,

services and facilities. The *Plan* identifies that work will continue on strategies to meet State Government dwelling and jobs targets.

6. *Is the planning proposal consistent with applicable state environmental planning policies?*

Yes. The *Planning Proposal* is consistent with relevant State Environmental Planning Policies (SEPPs) and deemed SEPPs.

See Appendix B for details.

7. *Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?*

Yes. The *Planning Proposal* is consistent with applicable s117 Ministerial Directions, it being noted that the following Directions are relevant:

- 2.3 - Heritage Conservation
- 3.1 - Residential Zones
- 3.4 - Integrating Land Use and Transport
- 4.4 - Planning for Bushfire Protection
- 7.1 - Implementation of the Metropolitan Strategy

See Appendix C for details.

Section C - Environmental, social and economic impact

8. *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?*

It is unlikely that critical habitat, threatened species or ecological communities or their habitats will be adversely affected by the proposal. The townhouse precincts have been chosen on the basis of minimal environmental constraints identifies through Council's vegetation mapping which identifies areas with high biodiversity value. Council's vegetation mapping identifies endangered vegetation (Turpentine Ironbark Forest) within Asquith Park adjoining the southern portion of the Asquith/Mt Colah townhouse precinct. Any future development application would need to address the potential for, and protection of, any endangered vegetation.

9. *Are there any other likely environmental effects as a result of the planning proposal and how they are proposed to be managed?*

No. Precincts have been chosen on the basis of minimal environmental constraints. Bushfire prone land has been avoided where possible, as have heritage conservation areas, areas of vegetation containing endangered ecological communities, and steep land.

10. *How has the planning proposal adequately addressed any social and economic effects?*

As part of the preparation of the *Housing Strategy*, Council engaged a demographic consultant to undertake a Dwelling Consumption Analysis. The analysis found that the population of Hornsby Shire is ageing, over 60% of low and moderate income households are in housing stress, and there is demand from young and older age groups for smaller format, higher density dwellings. The exhibition of the *Housing Strategy Planning Proposal* identified the desire for townhouse development. Precincts proposed for rezoning to permit townhouses will assist increase housing affordability by offering an alternative to higher density development along transport corridors.

Section D - State and Commonwealth interests

11. *Is there adequate public infrastructure for the planning proposal?*

Yes. The townhouse precincts have been selected on the basis of proximity to transport and are located in areas which are sewerage and serviced by Sydney Water.

12. *What are the views of State and Commonwealth public authorities consulted in accordance within this gateway determination?*

Council consulted with key government agencies in the preparation of the *Housing Strategy*. However, no consultation has been carried out specifically concerning the proposed townhouse precincts and the amendment to the boundary of a 5 storey precinct.

Consultation will occur with relevant public authorities identified as part of the gateway determination.

PART 4 - COMMUNITY CONSULTATION

It is proposed to publicly exhibit the Planning Proposal for a period of twenty-eight days in accordance with the Department of Planning's A Guide to preparing Local Environmental Plans.

It is proposed that consultation be carried out in accordance with the attached Consultation Strategy (Appendix D).

Appendix A

Location/Proposed Zoning Map (draft)



ZONE

 Zoning to allow Townhouse Development



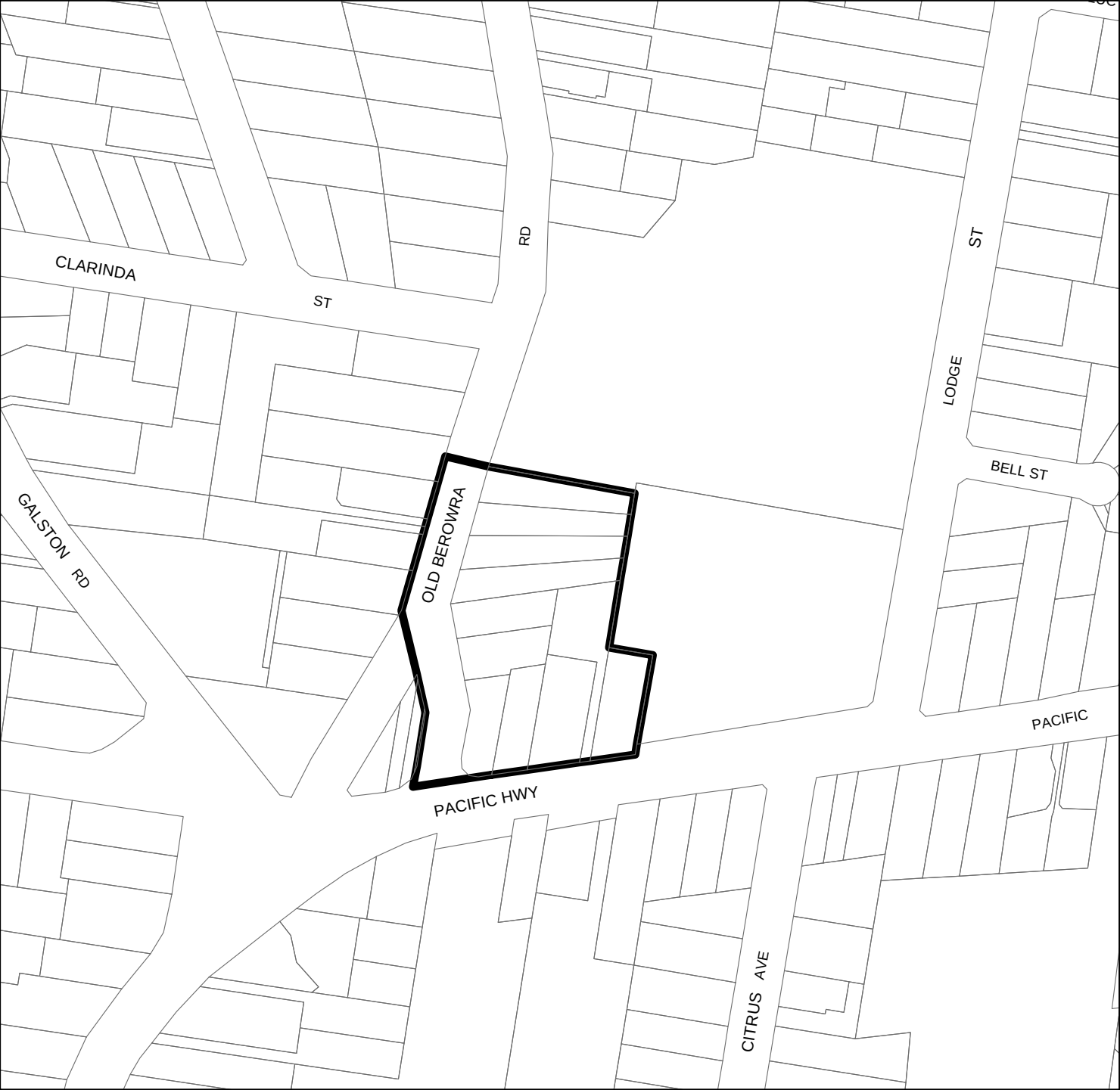
SCALE: 1:5,000

LOCALITY: MOUNT COLAH

ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

HORNSBY SHIRE

PLANNING PROPOSAL - PROPOSED ZONE



ZONE

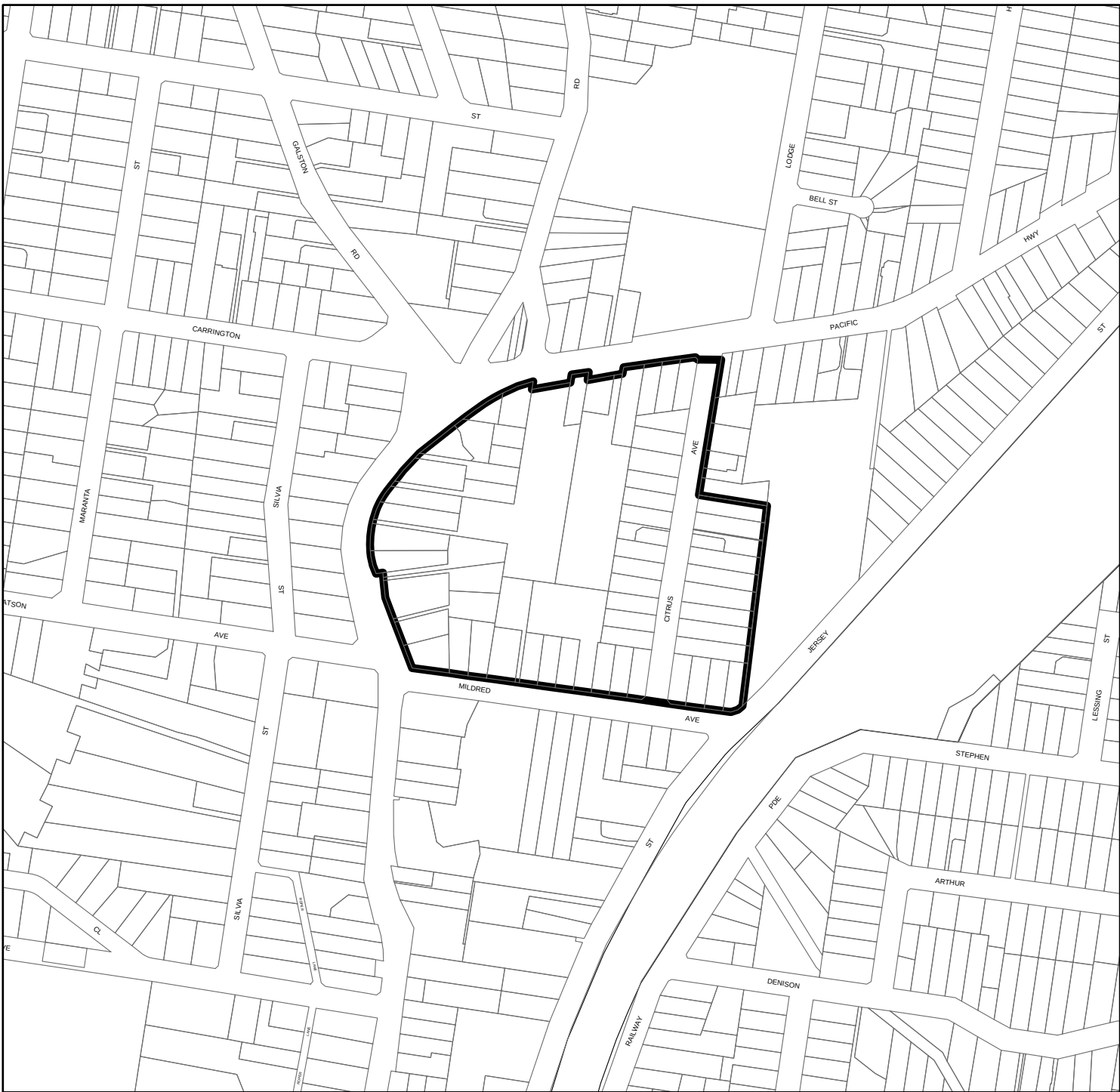
 Zoning to allow Townhouse Development



SCALE: 1:2,500

LOCALITY: HORNSBY

ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979
HORNSBY SHIRE
PLANNING PROPOSAL - PROPOSED ZONE



ZONE



Zoning to allow Townhouse Development



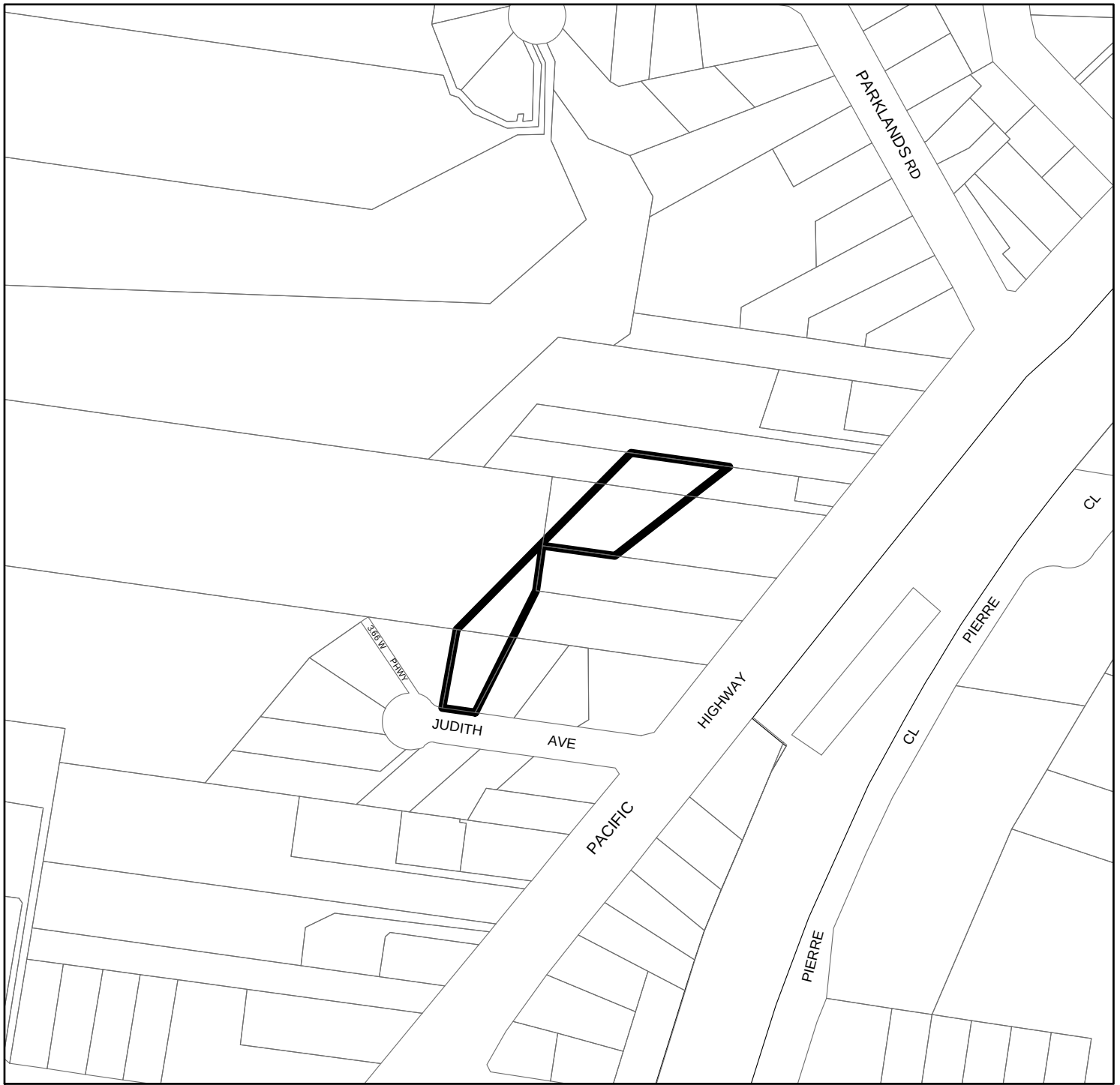
SCALE: 1:5,000

LOCALITY: HORNSBY

ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

HORNSBY SHIRE

PLANNING PROPOSAL - PROPOSED ZONE



ZONE



Zoning to allow 5 Storey Residential Development



SCALE: 1:2,500

LOCALITY: MOUNT COLAH

ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979

HORNSBY SHIRE

PLANNING PROPOSAL - PROPOSED ZONE

Appendix B

State Environmental Planning Policy Checklist

SCHEDULE OF SEPPs TOWNHOUSE PLANNING PROPOSAL

State Environmental Planning Policies		
SEPP Title	Compliance	Comment
1. Development Standards	N/A	
1. Development Standards (Amend No. 1)	Draft	
2. Minimum Standards for Residential Flat Development	Repealed	
3. Castlereagh Liquid Waste Disposal Depot	Repealed	
4. Development Without Consent and Miscellaneous Complying Development	N/A	
5. Housing for Older People or People with a Disability	Repealed	
6. Number of Storeys in a Building	N/A	
7. Port Kembla Coal Loader	Repealed	
8. Surplus Public Land	Repealed	
9. Group Homes	Repealed	
10. Retention of Low-Cost Rental Accommodation	Repealed	
11. Traffic Generating Developments	Repealed	
12. Public Housing (Dwelling Houses)	Repealed	
13. Sydney Heliport	Repealed	
14. Coastal Wetlands	N/A	
15. Rural Land - Sharing Communities	N/A	
16. Tertiary Institutions	Repealed	
17. Design of Building in Certain Business Centres	Not Made	
18. Public Housing	Not Made	
19. Bushland in Urban Areas	N/A	
20. Minimum Standards for Residential Flat Development	Repealed	
21. Moveable Dwellings	N/A	
22. Shops and Commercial Premises	N/A	
23.	Not Allocated	
24. State Roads	Not Made	
25. Residential Allotment Sizes	Repealed	
26. Littoral Rainforests	N/A	
27. Prison Sites	Repealed	
28. Town Houses and Villa Houses	Repealed	
29. Western Sydney Recreational Area	N/A	
30. Intensive Agriculture	N/A	
31. Sydney (Kingsford Smith) Airport	Repealed	
32. Urban Consolidation (Redevelopment of Urban Land)	N/A	
33. Hazardous and Offensive Development	N/A	
34. Major Employment Generating Industrial Development	Repealed	
35. Maintenance Dredging of Tidal Waterways	Repealed	
36. Manufactured Home Estates	N/A	
37. Continued Mines and Extractive Industries	Repealed	
38. Olympic Games and Related Development Proposals	Repealed	

39. Spit Island Bird Habitat	N/A	
40. Sewerage Works	Not Made	
41. Casino/Entertainment Complex	N/A	
42. Multiple Occupancy and Rural Land (Repeal)	Repealed	
43. New Southern Railway	Repealed	
44. Koala Habitat Protection	N/A	
45. Permissibility of Mining	Repealed	
46. Protection and Management of Native Vegetation	Repealed	
47. Moore Park Showground	N/A	
48. Major Putrescible Landfill sites	Repealed	
49. Tourism Accommodation in Private Homes	Draft	
50. Canal Estates	N/A	
51. Eastern Distributor	Repealed	
52. Farm Dams and Other Works in Land and Water Management Plan Areas	N/A	
53. Metropolitan Residential Development	N/A	
54. Northside Storage Tunnel	Repealed	
55. Remediation of Land	N/A	
56. Sydney Harbour Foreshores and Tributaries	Repealed	
57. Not Made	N/A	
58. Protecting Sydney's Water Supply	Repealed	
59. Central Western Sydney Economic and Employment Area	N/A	
60. Exempt and Complying Development	N/A	
61. Exempt and Complying Development for White Bay and Glebe Island Ports	N/A	
62. Sustainable Aquaculture	N/A	
63. Major Transport Projects	Repealed	
64. Advertising and Signage	N/A	
65. Design Quality of Residential Flat Development	Yes	The planning proposal is consistent with SEPP 65. The proposed boundary adjustment relates to a 5 storey precinct being progressed as part of the <i>Housing Strategy Planning Proposal</i> , development controls for which include provisions to ensure the achievement of design quality in accordance with the design quality principles from the SEPP and have regard to the publication <i>Residential Flat Design Code</i> (Department of Planning, September 2002).
66. Integration of Land Use and Transport	Draft	
67. Macquarie Generation Industrial Development	Repealed	
68. Not Allocated		
69. Major Electricity Supply Projects	Repealed	
70. Affordable Housing (Revised Schemes)	N/A	
71. Coastal Protection	N/A	
72. Linear Telecommunications Development – Broadband	Repealed	
73. Kosciuszko Ski Resorts	N/A	
74. Newcastle Port and Employment Lands	N/A	
SEPP 2004. Housing for Seniors or People with a Disability	N/A	
SEPP 2004. Building Sustainability	N/A	

Index: BASIX		
SEPP 2004. ARTC Rail Infrastructure	Repealed	
SEPP 2004. Sydney Metropolitan Water Supply	Repealed	
SEPP 2005. Development on Kurnell Peninsula	N/A	
SEPP 2005. Major Development	N/A	
SEPP 2006. Sydney Region Growth Centres	N/A	
SEPP 2007. Mining, Petroleum Production and Extractive Industries	N/A	
SEPP 2007. Temporary Structures	N/A	
SEPP 2007. Infrastructure	N/A	
SEPP 2007. Kosciuszko National Park – Alpine Resorts	N/A	
SEPP 2008. Rural Lands	N/A	
SEPP 2008. Exempt and Complying Development Codes	N/A	
SEPP 2009. Western Sydney Parklands	N/A	
SEPP 2009. Affordable Rental Housing	N/A	
SEPP 2009. Western Sydney Employment Area	N/A	
Sydney Regional Plans (deemed SEPPs)		
SREP 1. Dual Occupancy	Repealed	
SREP 2. Dual Occupancy	Repealed	
SREP 3. Kurnell Peninsula	Repealed	
SREP 4. Homebush Bay	Repealed	
SREP 5. Chatswood Town Centre	N/A	
SREP 6. Gosford Coastal Areas	Repealed	
SREP 7. Multi-Unit Housing – Surplus Government Sites	Repealed	
SREP 8. Central Coast Plateau Areas	N/A	
SREP 9. Extractive Industry (No. 2)	N/A	
SREP 10. Blue Mountains Regional Open Space	Repealed	
SREP 11. Penrith Lakes Scheme	N/A	
SREP 12. Dual Occupancy	Repealed	
SREP 13. Mulgoa Valley	N/A	
SREP 14. Eastern Beaches	Repealed	
SREP 15. Terrey Hills	Repealed	
SREP 16. Walsh Bay	N/A	
SREP 17. Kurnell Peninsula	N/A	
SREP 18. Public Transport Corridor	N/A	
SREP 19. Rouse Hill Development Area	N/A	
SREP 20. Hawkesbury Nepean River (No. 2 – 1997)	Yes	The environmentally sensitive areas in the Hawkesbury-Nepean catchment are (including the river, riparian land, escarpments and other scenic areas, national parks, wetlands, and significant floral and faunal habitats) were avoided in the identification of precincts for increased residential density. The proposal complements the vision, goal, key principles and action plan of the <i>Metropolitan Strategy</i>.
SREP 21. Warringah Urban Release Area	Repealed	
SREP 22. Parramatta River	Repealed	

SREP 23. Sydney and Middle Harbours	Repealed	
SREP 24. Homebush Bay Area	N/A	
SREP 25. Orchard Hills	N/A	
SREP 26. City West	N/A	
SREP 27. Wollondilly Regional Open Space	Repealed	
SREP 28. Parramatta	N/A	
SREP 29. Rhodes Peninsula	N/A	
SREP 30. St Marys	N/A	
SREP 31. Regional Parklands	Repealed	
SREP 33. Cooks Cove	N/A	
SREP 2005. Sydney Harbour Catchment	Yes	The proposal is consistent with the Sydney Harbour Catchment SREP as it aims to protect environmentally sensitive land and natural assets, prevent land degradation and avoid disturbance of acid sulphate soils.

Appendix C

Section 117 Direction Checklist

SCHEDULE OF SECTION 117 DIRECTIONS TOWNHOUSE PLANNING PROPOSAL

Ministerial Directions (s117)		
S117 Direction Title & Summary	Compliance	Comment
1. Employment and Resources		
1.1 Business and Industrial Zones A planning proposal shall encourage employment growth in suitable locations, protect employment lands and support the viability of “identified strategic centres”. A planning proposal shall retain the areas and locations of existing business and industrial zones. A planning proposal shall not reduce the total potential floor space area for employment uses and related public services in business zones. A planning proposal shall not reduce the total potential floor space area for industrial uses in industrial zones. A planning proposal shall ensure that proposed new employment areas are in accordance with an approved strategy.	N/A	
1.2 Rural Zones A planning proposal shall not rezone rural land for urban purposes, including residential, business or industrial purposes. A planning proposal shall not contain provisions which will increase the permissible density of rural zoned land. A planning proposal shall not include provisions that control access from traffic generating developments to classified roads in rural zones.	N/A	
1.3 Mining, Petroleum Production and Extractive Industries Council shall consult the Director-General of the Department of Primary Industries (DPI) to identify any resources of coal, petroleum and extractive materials of State or regional significance and existing mines or extractive industries occurring in the area subject to the	N/A	

draft LEP. Council shall seek advice from the Director-General of the DPI on the development potential of the identified resources. Council shall consider any likely conflict between the development of existing mines or extractive industries, or identified resources and other land uses. Where a planning proposal prohibits or restricts development of identified resources or is likely to conflict with other land uses, Council shall consult with the Director-General of the DPI concerning the draft LEP and provide a copy of any comments received to the Director-General of the Department of Planning.		
1.4 Oyster Aquaculture Council shall ensure the planning proposal is consistent with the <i>NSW Oyster Industry Sustainable Aquaculture Strategy (2006)</i>. Council shall identify any Priority Oyster Aquaculture Areas (POAA) and oyster aquaculture leases outside such an area to which the planning proposal would apply. Council shall identify any proposed land uses which could adversely impact on a POAA and oyster aquaculture leases outside such an area. Council shall consider any likely incompatibilities between oyster aquaculture and other land uses and evaluate ameliorative measures. Where a planning proposal could result in an impact on a POAA and oyster aquaculture leases outside such an area, Council shall consult the Director-General of the Department of Primary Industries (DPI) concerning the draft LEP and provide a copy of any comments received to the Director-General of the Department of Planning.	N/A	
2. Environment and Heritage		
2.1 Environmental Protection Zones A planning proposal shall include provisions that facilitate the protection and conservation of	Yes	The planning proposal facilitates the protection and conservation of environmentally sensitive areas through the methodology for choosing precincts with the absence of constraints.

environmentally sensitive areas. A planning proposal that applies to environmental protection zoned land or land identified for environmental protection purposes shall not reduce the protection standards that apply to the land.		
2.2 Coastal Protection A planning proposal shall be consistent with the <i>NSW Coastal Policy: A Sustainable Future for the New South Wales Coast 1997</i>, the <i>Coastal Design Guidelines 2003</i> and the <i>NSW Coastline Management Manual 1990</i>.	N/A	
2.3 Heritage Conservation A planning proposal shall contain provisions to facilitate the conservation of items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance. A planning proposal shall contain provisions that facilitate the conservation of areas, places, landscapes and objects identified of being of Aboriginal heritage significance.	Yes	In the identification of precincts for increased densities, heritage items and heritage conservation areas were avoided where possible. For the items and areas which are included, the planning proposal retains the current provisions within the HSLEP relating to the conservation of heritage significance. The planning proposal would ensure that that significant heritage values within the Shire are identified and conserved.
2.4 Recreation Vehicle Areas Planning proposals shall not zone or enable land to be developed for a recreational vehicle area where the land is in an Environmental Protection Zone, is a beach or dune, or in other areas unless the council has taken into consideration relevant guidelines listed in the Direction.	N/A	
3. Housing Infrastructure and Urban Development		
3.1 Residential Zones A planning proposal shall include housing provisions that broaden the choice of building types and housing locations, make more efficient use of existing infrastructure and services, reduce urban sprawl and be of good design. A planning proposal shall contain a requirement that residential development is not permitted until land is adequately serviced with water and sewerage. Planning proposals shall not contain provisions which reduce the permissible density on residential	Yes	The planning proposal includes housing provisions that broaden the choice of housing type and location in Hornsby Shire. The proposal involves the identification of opportunities for townhouse development, along with the extension of the boundary of a 5 storey precinct proposed as part of the <i>Housing Strategy Planning Proposal</i>. The location of the proposed new dwellings takes advantage of existing investments in transport, water, sewerage and social facilities. All areas identified in the proposal are serviced with water and sewerage, and there are no provisions which will reduce the permissible residential density of land.

zoned lands.		
3.2 Caravan Parks and Manufactured Home Estates Planning proposals shall retain existing zones of land or utilise an appropriate zone under the standard Instrument to permit caravan parks in LEPs When preparing planning proposals, Council shall consider the categories of land and principles in SEPP No. 36 to determine suitable zones, locations and provisions for Manufactured Home Estates.	N/A	
3.3 Home Occupations Planning proposals shall permit home occupations to be carried out in dwelling houses without the need for development consent.	N/A	Direction applies to all councils that do not have a principal Local Environmental Plan or a draft LEP, prepared pursuant to the standard instrument under section 33A of the EP&A Act 1979.
3.4 Integrating Land Use and Transport A planning proposal shall locate zones for urban purposes in areas in accordance with the identified guidelines and policies to reduce travel demand, including the number of trips generated by development and the distances travelled.	Yes	The planning proposal is seeks to provide additional housing in areas serviced by public transport. The proposal is consistent with <i>Improving Transport Choice – Guidelines for planning and development</i> (DUAP 2001) and <i>The Right Place for Business and Services – Planning Policy</i> (DUAP 2001) as it encourages the use of public transport, walking and cycling.
3.4 Development Near Licensed Aerodromes For a planning proposal affecting land in the vicinity of a licensed aerodrome, the Council shall consult with the Department of Commonwealth responsible for aerodromes and the lessee of the aerodrome. A draft LEP shall take into consideration the Obstacle Limitation Surface (OLS) and for land affected by the OLS permit development compatible with the operation of an aerodrome and prepare appropriate development standards. A planning proposal shall not rezone land for certain purposes listed in the direction where the Australian Noise Exposure Forecast (ANEF) exceeds the levels specified in the direction. Draft LEPs which rezone lands for such purposes shall include a provision regarding interior noise levels.	N/A	
4. Hazard and Risk		
4.1 Acid Sulfate Soils	N/A	

Council shall consider the <i>Acid Sulfate Soils Planning Guidelines</i> adopted by the Director-General of the Department of Planning when preparing a planning proposal that applies to any land identified on the Acid Sulfate Soils Risk Maps prepared by the Department of Natural Resources. Planning proposals that regulate works in acid sulfate soils shall be consistent with the Acid Sulfate Soils Model LEP or such other provisions provided by the Director-General of the Department of Planning. Council shall not prepare a planning proposal that intensifies land uses on land having a probability of containing acid sulfate soils unless an acid sulfate soils study has been considered		
4.2 Mine Subsidence and Unstable Land Where the land is subject to mine subsidence, council shall consult the Mine Subsidence Board to ascertain if the Board has any objection to the Plan and the appropriateness of the development for the potential level of subsidence. A planning proposal shall not permit development on unstable land.	N/A	Direction applies to all councils that contain a mine subsidence district proclaimed pursuant to section 15 of the Mine Subsidence Compensation Act 1961 or that contain unstable land. Clarification was sought from the Department of Planning in late 2005 as to the meaning of 'unstable land'. A formal response has not been received. However, a Department representative advised by email 29 November 2005 that unstable land is land that is subject to land slip because of slope and soil/ geological conditions.
4.3 Flood Prone Land A planning proposal shall include provisions that give effect to the <i>NSW Flood Prone Land Policy</i> and are consistent with the <i>Floodplain Development Manual 2005</i>. A draft LEP shall not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose Zone. A planning proposal shall not permit development in floodway areas, permit development that will significantly impact on other properties, permit a significant increase in development, result in a substantial increase in the need for government spending on flood mitigation, permit specified development without the need for consent. A planning proposal shall not	N/A	

impose flood related development controls above the flood planning level for residential development. In preparing a planning proposal, Council shall not determine a flood level inconsistent with the Floodplain Development Manual 2005.		
4.4 Planning for Bushfire Protection Council shall consult with the Commissioner of the NSW Rural Fire Service in the preparation of any planning proposal following receipt of a gateway determination and prior to undertaking community consultation and take into account any comments made. A planning proposal shall have regard to Planning for Bushfire Protection 2006, avoid permitting inappropriate development in hazardous areas and ensure that hazard reduction is not prohibited in the asset protection zone (APZ). A planning proposal, where development is proposed, shall comply with specified provisions to minimise bushfire hazard risk, as appropriate.	Yes	In the identification of precincts for townhouse development, bushfire prone land was avoided. However, the proposed amendment to the boundary of a 5 storey development precinct proposed in the Housing Strategy Planning Proposal involves bushfire prone land. The Rural Fire Service was consulted concerning the Mt Colah Commercial Centre precinct as part of the preparation of the Housing Strategy, and will be consulted again concerning the boundary adjustment during public exhibition. In accordance with this Direction, the Commissioner of the Rural Fire Service will be consulted following receipt of gateway determination and prior to undertaking community consultation.
5. Regional Planning		
5.1 Implementation of Regional Strategies A planning proposal shall be consistent with a regional strategy released by the Minister for Planning.	N/A	
5.2 Sydney Drinking Water Catchments A planning proposal shall be prepared in accordance with the general principle that water quality within the hydrological catchment must be protected and in accordance with specified principles. When preparing a planning proposal that applies to land within a hydrological catchment, Council, shall consider any strategic land and water capability assessment, or a settlement or rural residential strategy, consult the Sydney Catchment Authority (SCA) under Section 62 of the EP&A Act and zone SCA land in accordance with the specified zones from the	N/A	

Standard Instrument.		
5.3 Farmland of State and Regional Significance on the NSW Far North Coast A planning proposal shall not rezone land identified as “State Significant Farmland”, “Regionally Significant Farmland” or “Significant non-contiguous farmland” for urban or rural residential purposes.	N/A	
5.4 Commercial and Retail Development along the Pacific Highway, North Coast A planning proposal that applies to land “within town” shall provide that new commercial or retail development shall be concentrated within distinct centres rather than spread along the Pacific Highway. A draft LEP that applies to land “out of town” shall provide that new commercial or retail development shall not be established near the Pacific Highway. Development with frontage to the Pacific Highway shall consider the impact the development has on the safety and efficiency of the Highway. A planning proposal shall permit a highway service centre beside the Pacific Highway where they are located close to the town bypassed, the local economy is considered and there is adequate separation from other service centres. A planning proposal shall limit the uses permitted in highway service centres to those specified in the Direction.	N/A	
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)) Council shall not prepare a planning proposal that is inconsistent with relevant agreements and strategies that apply to the area.	N/A	
5.6 Sydney to Canberra Corridor A planning proposal shall include provisions that give effect to, and are consistent with, the publication entitled <i>The Sydney to Canberra Corridor Strategy 1995</i>.	N/A	
5.7 Central Coast A planning proposal shall be consistent with the Gosford-Wyong	N/A	

Structure Plan except as amended by the Sydney Regional Environmental Plan No. 6 – Gosford Coastal Areas.		
5.8 Sydney Second Airport: Badgerys Creek Planning proposals shall not contain provisions that enable development which could hinder the potential for development of a Second Sydney Airport.	N/A	
6. Local Plan Making		
6.1 Approval and Referral Requirements A planning proposal shall minimise provisions requiring concurrence, consultation or referral of development applications to a Minister or public authority. A planning proposal shall not identify development as designated development unless Council can satisfy the Director-General that such is warranted.	N/A	
6.2 Reserving Land for Public Purposes A planning proposal shall not create, alter or reduce existing reservations or zonings of land for public open space without the approval of the relevant public authority and the Director General. When a Minister or public authority requests a Council to reserve land for a public purpose, include provisions relating to the use of land reserved for a public purpose, rezone and/or remove a reservation, the council shall accede to the request.	N/A	
6.3 Site Specific Provisions A planning proposal that amends another LEP to allow a particular development to be carried out shall either: * allow that land use to be carried out in the zone; or * rezone the site to an existing zone without imposing any additional development standards or requirements applying to that zone; or * allow that land use on the land without imposing any development standards in addition to those already contained in the principal LEP being amended.	N/A	

7. Metropolitan Planning		
7.1 Implementation of the Metropolitan Strategy A planning proposal shall be consistent with the NSW Government's Metropolitan Strategy: City of Cities, A Plan for Sydney's Future, published in December 2005 ("the Metropolitan Strategy")	Yes	The planning proposal is consistent with the <i>Metropolitan Strategy</i>. One of the objectives of the proposal is to provide opportunities for new dwellings to assist achieve Council's dwelling target under the <i>Metropolitan Strategy</i>. The selection of areas suitable for townhouse development has been undertaken in accordance with the aims and actions outlined in the <i>Metropolitan Strategy</i>.

Appendix D

Consultation Strategy

Consultation Strategy

In accordance with 4.4 (4) of the Ministerial Directions, Council will consult with the Commissioner of the NSW Rural Fire Service following receipt of the gateway determination from the Department of Planning.

Should no objections or comments requiring amendments to the Planning Proposal be received, the *Proposal* will be exhibited for the minimum period set out in the gateway determination.

Public Authorities

Notification letters and a copy of the Planning Proposal will be sent to relevant public authorities.

Advertisement in local newspapers

An advertisement will be placed in the newspapers listed below. The advertisement will identify the purpose of the Planning Proposal and where the Planning Proposal can be viewed.

Hills News
Northern District Times
Hornsby Advocate

Advertisement on the Council website

The Planning Proposal will be exhibited on the Council website (www.hornsby.nsw.gov.au) under On Exhibition – Town Planning. Council's libraries have access to the website.

Letters to affected property owners

A letter will be sent to affected and adjoining property owners advising of the exhibition of the Proposal and inviting submissions.

Letters to community and industry groups

A letter will be sent to the following community and industry groups advising of the exhibition of the Proposal and inviting submissions:

- Hornsby Shire Historical Society Inc
- Hornsby Shire Residents' and Ratepayers' Association Inc
- Hornsby and District Chamber of Commerce
- Housing Industry Association
- Royal Australian Institute of Architects
- Urban Development Institute of Australia
- Real Estate Institute of Australia

Displays at the Council Administration Building and local libraries

The Planning Proposal will be displayed at the Council Administration Centre, 296 Pacific Highway, Hornsby and the following libraries:

Hornsby Library
Berowra Library
Galston Library
Pennant Hills Library
Epping Library

Referrals to other Divisions/Branches

A copy of the Planning Proposal will be forwarded to the following Divisions/Branches of Council for comment:

Environment Division
Works Division

Review of Consultation Strategy

Where submissions warrant, the consultation strategy may be reviewed to extend the exhibition period and/or the methods of consultation. This may occur where a submission provides reasonable justification for a request for an extension to the exhibition period or where Council is of the opinion an amendment to the consultation strategy would facilitate greater feedback on the draft Plan.

Following the exhibition period, a report on submissions will be presented to Council for its consideration.